

**Delaware  
General Instructions Document  
Life & Health**

**1. Filing Authority/Scope of Authority:**

Forms are filed in accordance with Title 18, Del. C., Chapter 2712. See Department website for forms:  
<http://www.state.de.us/inscom/formapps.htm#Life>

**2. Filing Basis:**

Delaware is a file and use state with the authority to disapprove. IMPORTANT: If you elect to DEEM a filing per Title 18, Del. C., Chapter 2712(b), **please notify the analyst at 302-739-4251 ext 123.**

**3. Status in Domicile:**

Approval from state of domicile is not required, but status may be requested.

**4. Fee information:**

- a. For tracking purposes, filings that do not require a fee should also submit a completed filing fee form.
- b. Filing fee is \$50 per form, per rate, per company, per filing. Advertising submissions are \$50 per filing per company.
- c. Filings may be outsourced for actuarial review per Title 18, Del. C., Chapter 7, §714.
- d. Informational letters without policy forms are accepted without a fee. Previously filed policy forms that are modified are considered as “new” filings and will require a fee.

**5. Attachment information and file formats for SERFF Filings:**

- a. Attach all forms, appropriately captioned, to the Transmittal Header. Multiple policy forms may be attached to one Component Header. Submit rates and Actuarial Memoranda under separate, labeled Component Header.
- b. Delaware State Specific Form must be completed, signed and attached to the submission.
- c. SERFF filing Fee Form must be completed and attached.
- d. All text documents shall be attached as a PDF file. Excel spreadsheets may be requested for some filings.
- e. For applicable life products, indicate if policy will be illustrated.
- f. Problem Reports not responded to within 30 days will be closed and fees will not be refunded.

**6. Attachment information for hard copy Filings:**

- a. Transmittal Document completed and signed.
- b. Delaware State Specific Form completed and signed.
- c. Filing Fee Form must be completed and attached.
- d. Duplicate Transmittal Document for stamp and return. Individual forms are not stamped. Please send a duplicate filing with health rates only.
- e. Prepaid Mailer

**7. Contact Information:**

Jennifer Dawson  
Life-Health Forms and Rates  
(302) 739-4251 x138  
[jennifer.dawson@state.de.us](mailto:jennifer.dawson@state.de.us)

## DELAWARE PRODUCT GUIDELINES

All citations refer to Title 18, Delaware Code, unless otherwise indicated. Please follow specific guidelines within laws and regulations cited. Note: The Delaware Department has adopted the NAIC position on Terrorism Exclusions for Life and Health products. At this time the Delaware Department is not accepting filings that contain terrorism exclusions that provide no benefit for any loss due to terrorism.

### LIFE

**Comprising:** All Life and Annuity Products

**Forms:** Equity-indexed and funding agreement products must be identified. These products may be out sourced for actuarial review. §714

**Rates:** Not required for life products. § 2502(b).

**Equity Indexed Products** - Please provide the following:

Spec Page with available options; Actuarial Memorandum indicating surrender charges and minimum values; guaranteed minimum and maximum rates to include participation, caps, spread, other; reserve basis and compliance with appropriate actuarial guidelines. Provide hedging strategy including counterparties and NAIC, Moody's and S & P rating; guidelines on determining actual subsequent rates; periodic reports (quarterly) giving details on new business, any change in minimum/maximum rates, surrenders (account value and net amount actually paid). For those items involving calculations, e.g. minimum guaranteed values, compliance with reserve sample/actuarial guidelines, retrospective and prospective demonstrations, please provide in an Excel file.

#### **Life, Annuity - Chapter 29, Variable Life - Regulations 1201 and 1205**

1. Actuarial memorandum
2. For applicable products, per Regulation 1210 Section 5A, indicate if policies will be illustrated. If not illustrated, provide a Summary of Cost & Benefit.

#### **2001 CSO Mortality Table Compliance**

Please provide in an Excel file:

Spec Page, Actuarial Memorandum which indicates reserve basis, and compliance with standard valuation and non-forfeiture laws, appropriate actuarial guidelines, and IRS Section 7702/7702A.

#### **Group Life – Chapter 31**

Must meet group requirements of §3102 through §3109.

#### **Accelerated Benefits**

Individual Life products accelerating benefits for Long-Term Care must comply with Chapter 7105(i) through (k).

#### **Riders**

Cost for Rider should be captioned. Include actuarial memorandum and rates, if applicable.

#### **Credit Life and Health - Chapter 37, Regulation 1701**

Level/decreasing life and disability rates per Regulation 1701, Section II, A and B. Contracts should contain disclosure and other requirements of §3706.

#### **Applications - Life and Health**

Where medical questions concerning HIV/AIDS are included in the Application and the Company will perform testing, an HIV Consent Form is required to be filed with the Department following guidelines of Chapter 74 and Forms & Rates Bulletin No. 4. The HIV Consent Form is a one-time filing. Amendments to the Form must be re-filed.

## HEALTH

**Comprising:** All health insurance products.

### **Premium Rate Requirements & Guidelines:**

1. All paper health rate filings must be submitted in duplicate.
2. Provide rate information requested in Life, Accident & Health Filing State Specifics form.
3. Individual health rate filings must include rates and classification of risks per Chapter 33. §2504 - supporting documentation.  
Regulation 1303: Individual Health Loss Ratio Standards; Actuarial Memorandum; Actuarial Certification.
4. Group health rate filings - Regulation 1305: Loss Ratio Filing Procedures for Health Insurers, Health Service Corporations for Medical and Hospital Expense Incurred Policies and Plans.

### **Individual Health Forms - Chapters 33 and 36, Regulation 1304.**

1. Benefit Standards, Outline of Coverage Requirements (Regulation 1304, Sections 7 and 8).
2. Health Benefit Plan mandated benefits (Chapter 33).

### **Medicare Supplement - Chapter 34, Regulation 1501**

1. Rates per Chapters 25 and 34; Regulation 1501 Section 15.3
2. Advertising, approval for use, per Regulation 1501 Section 19.
3. ALL other requirements as contained in Chapter 34 and Regulation 1501.

### **Long Term Care - Chapter 71, Regulation 1404**

Delaware has adopted the NAIC Model Regulation, with variations thereto.

1. Advertising, approval for use, per Regulation 1404 Section 23.
2. Rates per Regulation 1404 Section 20. Filed rates must correspond with Cost Disclosure requirements of Regulation 1404 Section 6.1.4.
3. ALL other requirements of the Regulation must be in compliance.

### **Small Employer - Chapter 72, Regulation 1308; Forms & Rates Bulletins Nos. 11-13**

1. Follow prescribed format in Regulation for Schedule of Benefits and Exclusions for Basic and Standard Plans per Appendices A & B.
2. Health mandates of Chapter 35 for Large Group & Blanket Health are applicable to Small Employer Standard Plan (see §7213), and for all other Small Employer Plans.
3. Rate Restrictions - Regulation 1308 Section 6 and §7205.

### **Group & Blanket Health – Chapter 35, Forms & Rates Bulletin 17**

1. Mandated health benefits of Chapter 35 apply to all health benefit plans. Please 'Bookmark' their location in Policy/Certificate for ease of review.
2. Out-of-state trusts & associations, follow Chapter 35, §3506 and §3509, and Forms & Rates Bulletin 17.